

DEPT: BONNIE LINEN FEE 13
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2016-L-000110
CAUSE NUMBER:
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CIRCUIT COURT OF
CLARK COUNTY, IDAHO
LAW DIVISION
CLERK: DOROTHY BROWN

CIRCUIT COURT OF
COOK COUNTY, ILLINOIS
CLERK'S OFFICE
COUNTY DEPARTMENT, LAW DIVISION

NICHOLAS ZENYADEH
Plaintiff,
vs.
SHERIFF'S OFFICE OF COOK COUNTY
And PARKER (PARKER)
Defendants.

NOW COME Plaintiff (Nicholas Zyadet hereinafter, "Plaintiff"), by and through his attorneys, the Avila Law Group, PLLC, and complains against Defendants Sheriff's Office of Cook County (hereinafter, "Defendant SOCC"), and Deputy Powell (hereinafter "Defendant Powell"). In accordance whereof, Plaintiff states as follows:

He was a man of great energy and determination, and his efforts were instrumental in the development of the town.

1. The charges contained herein allege torts and acts of discrimination governed by Illinois law and federal law;
 2. The events giving rise to Plaintiff's claims occurred principally within the geographical boundaries of Cook County, Illinois;
 3. Plaintiff is an individual residing in Cook County, Illinois;
 4. Defendant Cook County Sheriff is a law enforcement agency with operations located at 10, 30 W. Washington St, Chicago, IL. At all times relevant Defendant Cook County Sheriff was the employer of the Plaintiff;
 5. Defendant Daryl Howell, at all times relevant was an employee of Defendant Cook County Sheriff;

- c. This cause of action is being filed within 90-days of receipt of a so-called "right-to-sue" letter issued by the Equal Employment Opportunity Commission.

PARTIES

- a. At all times relevant hereto, Plaintiff was and remains a natural person. Plaintiff was and remains genetically and physiologically male. Plaintiff was born in Jordan, ¹ of the Asian race and of Arab ethnicity. Plaintiff is a Lieutenant for the Sheriff's Office of Cook County.
- b. Defendant, Sheriff's Office of Cook County is the principal law enforcement agency that serves in Cook County, Illinois. The primary place of business of Defendant SOKC is located in Cook County.
- c. At all times relevant hereto, Defendant Darryl Howell was and remains a natural person. Defendant was and remains genetically and physiologically male. Defendant is a Superintendent at the Sheriff's Office of Cook County. The primary place of business of Defendant is located in Cook County.

STATEMENT OF FACTS

- d. The Plaintiff has worked at the Sheriff's Office of Cook County for the past fifteen years. The Plaintiff's current position is a Lieutenant. Prior to the Plaintiff's employment at the Sheriff's Office of Cook County he served in the US Navy and the US Army.
- e. The Plaintiff is of the Asian race and was born in Jordan. The Plaintiff is of Arab ethnicity and is a Christian.
- f. The Plaintiff has been discriminated based on his race, ethnicity, and religion by Darryl Howell.

(3.) On October 11th of 2014 Plaintiff was called into Defendant Howell's office to discuss a report submitted by the Plaintiff. Defendant Howell went off topic with the report and beyond his authority discriminatory comments went the Plaintiff. The Defendant Howell told the Plaintiff that he would do everything in his power to get him fired. The Defendant then loaded a gun that was on the table and went behind the Plaintiff and threatened him.

(4.) Plaintiff was also subjected to derogatory and discriminatory comments by Howell such as being called "Sand Nigger", "Camel Jockey", "Fucking Arab", and a "Fucking Muslim".

(5.) On October 12th of 2014, Defendant Howell threatened the Plaintiff in the parking lot of the Sheriff's Office of Cook County by placing his hand on his gun and yelling at the Plaintiff for filing a report about the incident on October 11th of 2014.

(6.) Within 180 days of all of the alleged incidents, the Plaintiff filed a complaint with the EEOC under Title VII of the Civil Rights Act of 1964, alleging Racial Discrimination, Harassment, and National Origin Harassment.

(7.) This suit is being filed within 90 days of receipt of a so-called "right-to-sue" letter issued by the Equal Opportunity Employment Commission, sent on October 8, 2014, hereby attached.

COUNT I

Racial Harassment/Discrimination

(8.) Plaintiff hereby re-alleges the allegations contained in Paragraphs 1 through 17 herein and adopt same collectively into this Paragraph 18 as if fully set forth herein.

(9.) Defendant Howell referred to Plaintiff as a "Sand Nigger", "Camel Jockey", and "Fucking Arab". These comments were part of a pattern of severe incidents of racial harassment that negatively affected the Plaintiff's work and subjected the Plaintiff to several dismissals.

30. Defendant Howell subjected the Plaintiff to discriminatory treatment that was not given to similarly situated non-Arabs workers.

31. By employing Defendant Howell as a supervisor or superintendent, Defendant Sheriff's Office of Cook County is vicariously liable for Defendant Howell's unlawful racial harassment against the Plaintiff.

COUNT II

Religious Discrimination

32. Plaintiff hereby re-alleges the allegations contained in Paragraphs 1 through 21 hereof and adopts same collectively into this Paragraph 32 as if fully set forth herein.

33. Defendant Howell referred to Plaintiff as a "Fucking Muslim", a discriminatory act, that prejudiced the Plaintiff. Such action was not afforded against similarly situated non-Arab coworkers.

34. Even though the Plaintiff is not a Muslim, such action is still discriminatory against the Plaintiff because the Defendant perceived him as being of the Islamic faith due to his Arab ancestry.

35. By employing Defendant Howell as a supervisor or superintendent, Defendant Sheriff's Office of Cook County is vicariously liable for Defendant Howell's unlawful religious discrimination against the Plaintiff.

COUNT III

National Origin Discrimination

36. Plaintiff hereby re-alleges the allegations contained in Paragraphs 1 through 25 hereof and adopts same collectively into this Paragraph 36 as if fully set forth herein.

.37. Defendant Howell has told the Plaintiff that the County should not have hired him because he is a foreigner, he has an accent, and he is a terrorist. Howell has turned the Plaintiff's non-Arabic co-workers in a biased manner.

.38. Similarly situated non-Jordanian co-workers were not treated in a similar manner.

(b) By employing Defendant Howell as a supervisor or superintendent, Defendant Sheriff's Office of Clark County is vicariously liable for Defendant Howell's unlawful pattern or plan Dissemination against the Plaintiff.

COUNT IV

Assault

(b) Plaintiff hereby re-alleges the allegations contained in Paragraphs 1 through 29 hereof and adopt same collectively into this Paragraph 30 as if fully set forth herein.

(1) Defendant Howell presented the Plaintiff with reasonable apprehension of an imminent harm by pointing a gun and walking behind the Plaintiff and by grabbing his gun in the parking lot and screaming at the Plaintiff.

(2) By employing Defendant Howell as a supervisor or superintendent, Defendant Sheriff's Office of Clark County is vicariously liable for Defendant Howell's unlawful assault against the Plaintiff.

COUNT V

Intentional Infliction of Emotional Distress

(b) Plaintiff hereby re-alleges the allegations contained in Paragraphs 1 through 32 hereof and adopt same collectively into this Paragraph 33 as if fully set forth herein.

33. Defendant Howell acted with extreme and outrageous conduct when he threatened the Plaintiff with a gun on multiple occasions and when he used severe derogatory terms about the Plaintiff in front of his employees in order to inflict severe distress on the Plaintiff.

34. Defendant Howell acted with the intent of causing severe emotional distress to the Plaintiff.

35. Defendant Howell's actions did indeed cause the Plaintiff severe emotional distress.

36. As a result of the emotional distress, plaintiff suffers from anxiety and depression that manifest itself in a physical manner, including shortness of breath, loss of sleep, loss of appetite, and fatigue.

37. By employing Defendant Howell as a supervisor or superintendent, Defendant Sheriff's Office of Cook County is vicariously liable for Defendant Howell's intentional infliction of emotional distress.

PRAYER FOR RELIEF

Wherefore, Plaintiff prays this Court enter judgment in favor of Plaintiff and against

Defendants, specifically:

A. Judgment in the amount of \$500,00.00.

B. Any other remedy this court deems right and just.

JURY DEMAND

Plaintiff respectfully demands a trial by jury of all issues contained herein for which a jury trial is allowed.

Resultado obtido:

/s/ Jeanne A. Avila
Jeanne A. Avila, Attorney for Plaintiff

Aruda Fox Group, LLC
Attorneys for Plaintiff,
6601 N. Avondale, Suite 301
Chicago, 60631
(312) 427-1200, fax
(773) 641-0117 telephoned 773-763-2301 fax
County No. 45783

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